

Message Text

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64

ACTION EUR-12

INFO OCT-01 AF-06 EA-07 ISO-00 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-02 INR-07

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 STR-04 ITC-01 TRSE-00 USIA-06 PRS-01

SP-02 OMB-01 /106 W

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R 051722Z APR 76

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 936

INFO ALL EC CAPITALS 1971

AMEMBASSY CANBERRA

AMEMBASSY PRETORIA

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PASS AGRICULTURE

E.O. 11652: N/A

TAGS: EAGR, EEC

SUBJECT: EC RESPONSE TO AUSTRALIA RE PLURILATERAL CONSULTATIONS UNDER
GATT ARTICLE XXIII:1

REF: A) EC BRUSSELS 03001, B) EC BRUSSELS 03252

1. THE AUSTRALIAN MISSION HAS PASSED US THE COMMISSION'S RESPONSE TO
AUSTRALIA REGARDING THE EC'S INTERPRETATION OF PLURILATERAL CONSULTAT-
IONS

UNDER GATT ARTICLE XXIII:1 (REF. A). THE COMMISSION DELIVERED ITS RE-
SPONSE TO AUSTRALIA AFTER THE US-EC CONSULTATIONS ON PROCESSED FRUITS
AND VEGETABLES WERE HELD (REF. B). THE FOLLOWING IS THE COMMISSION'S
UNOFFICIAL ENGLISH TRANSLATION. BEGIN TEXT:

A) WE SHARE YOUR VIEW THAT ART. XXIII:1 DOES NOT PROHIBIT A CONTRACTING

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PARTY WHO IS A DEFENDANT FROM ACCEPTING A PLURILATERAL CONSULTATION;

B) NEVERTHELESS, THIS POSSIBILITY IS NOT LEFT TO THE JUDGEMENT OF THE CONTRACTING PARTY REQUESTING CONSULTATIONS, BUT IS ENTIRELY AT THE DISCRETION OF THE DEFENDANT;

C) IN THE NOTIFICATION WHICH IS ADDRESSED TO THE GATT, AUSTRALIA MAINTAINS THAT THE EEC HAS INTRODUCED MEASURES WHICH - IN HER OPINION - ARE CONTRARY TO THE GATT (WITHIN THE TERMS OF ART.

XXIII:1A);

D) HOWEVER, THE RIGHTS OF THE CONTRACTING PARTY REQUESTING CONSULTATIONS UNDER ART. XXIII:1A ONLY PERMIT IT TO OBTAIN CONSULTATIONS WITH THE PARTY OR PARTIES ACCUSED OF NOT HAVING FULFILLED THEIR OBLIGATIONS. END TEXT. HINTON

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Message Attributes

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Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Film Number: D760128-0120
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TAGS: EAGR, AS, US, EEC
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